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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT SEATTLE**

10 UNITED STATES OF AMERICA,

NO. MJ10-152

11 Plaintiff,

12 v.

DETENTION ORDER

13 DANIEL RUTILLO OMELI,

14 Defendant.

15 Offense charged:

16 Count 1: Conspiracy to Distribute Methamphetamine, in violation of 21 U.S.C. §§
17 841(a)(1), 841(b)(1)(A) and 846

18 Date of Detention Hearing: April 8, 2010

19 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
20 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

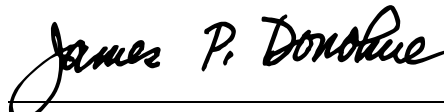
- 22 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
23 defendant is a flight risk and a danger to the community based on the nature of
24 the pending charges. Application of the presumption is appropriate in this case.
25 2. Defendant was stopped with a substantial amount of methamphetamine in his
26 car and a firearm.

3. The evidence against the defendant, although the least important 18 U.S.C. § 3142(g) detention factor, is strong.
4. When defendant was stopped, he was on a bond for similar charges, indicating an unwillingness or inability to comply with supervision.
5. Defendant is associated with two social security number and aliases.
6. There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

- (1) Defendant shall be detained and shall be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 8th day of April, 2010.



JAMES P. DONOHUE
United States Magistrate Judge